

**MARIPOSA COUNTY RESOLUTION NO. 18-5
RESOLUTION APPROVING THE AMENDMENT TO RULE 513
EMISSIONS STATEMENTS**

WHEREAS, the United States Environmental Protection Agency (USEPA) has declared the Mariposa County Air Pollution Control District non-attainment for the 8 hr. Ozone standard; and

WHEREAS, the USEPA requires all areas classified as non-attainment for the 8 hr. Ozone standard to have in place specific rules under the category of emissions statements; and

WHEREAS, the existing rules that address record keeping are not in compliance with USEPA requirements; and

WHEREAS, USEPA has listed the Mariposa County Air Pollution Control District in a notice of failure to comply which if not corrected could result in the loss of federal road and highway funding to agencies within the boundaries of the district; and

WHEREAS, a duly noticed Board of Supervisors acting as the Air Pollution Control Board public hearing was scheduled for the 15th day of May 2018; and

WHEREAS, a Staff Report packet was prepared pursuant to the California Government Code, Mariposa County Code, and local administrative procedures; and

WHEREAS, the Board of Supervisors acting as the Air Pollution Control Board did hold a public hearing on the noticed date and considered all of the information in the public record, including the Staff Report packet, testimony presented by the public, the Air Pollution Control Officers recommendation and the proposed environmental determination.

NOW, THEREFORE, BE IT RESOLVED, the Board of Supervisors acting as the Air Pollution Control Board does hereby approve the amendment of rule 513 emissions statements in the Mariposa County Air Pollution Control rules and regulations.

BE IT THEREFORE FINALLY RESOLVED THAT, the project approval action is based on the following findings supported by substantial evidence in the public record:

1. **Finding:** The new regulation is in the general public interest, and will not have a significant adverse effect on the general public health, safety, peace, and welfare.
2. **Finding:** Necessity – The need exists for the regulation as outlined in the record.
3. **Finding:** Authority – The Board has authority to adopt the regulation.
4. **Finding:** Clarity - the regulation is written or displayed so that its meaning can be easily understood by the persons directly affected by it.
5. **Finding:** Consistency - the regulation is in harmony with, and not in conflict with or contradictory to, existing statutes, court decisions, or state or federal regulations.

6. Finding: Nonduplication - the regulation does not impose the same requirements as an existing state or federal regulation.

PASSED AND ADOPTED by the Board this 15th day of May, 2018 by the following vote;

AYES: SMALLCOMBE, JONES, LONG, CANN, MENETREY
NOES: NONE
EXCUSED: NONE
ABSENT: NONE



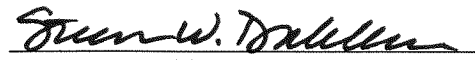
Kevin Cann, Chair
Mariposa County Air Pollution Control
District Board

ATTEST:



René LaRoche, Clerk of the Board

APPROVED AS TO FORM:



Steven W. Dahlem, County Counsel